

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Z.A., an Infant, by and through his Parents and
Natural Guardians, CARMIT ARCHIBALD and
GEORGES ARCHIBALD, and CARMIT
ARCHIBALD, *individually*,

Case No.: 1:24-cv-03742-VSB

Plaintiff(s)

v.

HYATT CORPORATION

Defendant.

**DECLARATION OF CARMIT ARCHIBALD IN OPPOSITION TO
HYATT CORPORATION'S MOTION FOR SUMMARY JUDGMENT**

I, CARMIT ARCHIBALD, declare as follows under the penalty of perjury:

1. I am above the age of 18 years old. I am of sound mind and fully competent to testify to the statements made herein in a court of law.
2. I, along with my son, Z.A., are the plaintiffs in the above-captioned action.
3. What is set forth below is based on my personal knowledge and, if necessary, I could and would testify to it at trial.
4. I am a U.S. Citizen, resident, and domiciliary of New York County in the State of New York. My son, Z.A. is a U.S. citizen, resident, and domiciliary of New York County in the State of New York.
5. I live with my husband, Georges Archibald, and our three children, Z.A., J.A., and C.A.
6. Z.A. was injured during a vacation at the Park Hyatt in St. Kitts. An aquatic basketball hoop at the Park Hyatt St. Kitts toppled and caused a scar on Z.A.'s forehead.

7. Z.A. is in the seventh grade at the Ramaz School in Manhattan.
8. I co-own Upper East Side Gynecology located in Manhattan, and serve as an Assistant Clinical Professor at the Mount Sinai School of Medicine, also located in Manhattan.
9. I am a board-certified OB-GYN since 2006, completed my residency at Mount Sinai Medical Center here in New York.
10. My medical practice serves patients in New York. My medical practice in New York City requires my regular presence in New York.
11. My husband, Georges Archibald, also works in Manhattan at a financial services firm. Georges holds a law degree from Cardozo Law School, which is also located in Manhattan. Georges is licensed to practice law in New York.
12. My husband's executive role requires his regular presence in New York.
13. Z.A.'s medical care, treating physicians and healthcare providers are in New York, including Z.A.'s plastic and reconstructive surgeons, dermatologist, pediatrician, and optometrist. They all treat injuries stemming from the incident at St. Kitts.
14. Z.A.'s plastic surgeon, Dr. Philip Torina, is in New York.
15. Z.A.'s dermatologist, Dr. Michael Cameron, is in New York.
16. Z.A.'s optometrist, Dr. Sarah Sutnick, is in New York.
17. Z.A.'s pediatrician, Dr. Herbert Lazarus, is in New York.
18. Z.A. is currently a seventh-grader at the Ramaz School in Manhattan and would face interruptions in his schooling and extracurricular activities should this case be litigated in St. Kitts.

19. In the fall of 2022, I booked a family vacation at the Park Hyatt resort located in St. Kitts and Nevis using Hyatt.com, a website copyrighted by Defendant Hyatt Corporation. I know this because the bottom of the website said Hyatt Corporation with a copyright symbol.

20. I booked the trip in which Z.A. was severely injured from my home in New York County.

21. To book this trip for my husband Georges, and my three children, plaintiff Z.A. and his siblings, J.A., and C.A., who are under the age of 18, I transferred credit card points from my Chase Ultimate Rewards account to my World of Hyatt rewards account.


22. Chase Ultimate Rewards Points transfer to World of Hyatt at a ratio that generally offers better redemption value compared to other hotel loyalty programs.

23. Hyatt points, compared to points from other hotel rewards programs, are often worth more per point when redeeming for hotel stays, especially at high-end or luxury properties like the Park Hyatt St. Kitts.

24. When booking the trip, I received confirmation emails from an @hyatt.com domain name.

25. At all times relevant, I believed that the Park Hyatt St. Kitts Resort was owned, operated, managed, and controlled by Hyatt Corporation and that the Park Hyatt St. Kitts met the same brand and safety standards to which I was accustomed.

Dated: October 16, 2024
New York, NY


Carmit Archibald (Oct 16, 2024 20:48 EDT)

Carmit Archibald